

BANK INDONESIA



BANK INDONESIA REGULATION

NUMBER: 13/ 24 /PBI/2011

CONCERNING

THE SECOND AMENDMENT TO BANK INDONESIA REGULATION

NUMBER 10/36/PBI/2008

CONCERNING SHARIA MONETARY OPERATION

BY THE GRACE OF THE ALMIGHTY GOD

THE GOVERNOR OF BANK INDONESIA,

- Considering :
- a. whereas in the context of improving the effectiveness of monetary control implementation and compliance with sharia principles in the implementation of transactions, particularly transactions with second leg, it is necessary to adjust the provision on the imposition of sanctions against sharia monetary operation transactions declared cancelled;
 - b. whereas based on the consideration as referred to in letter a, it is necessary to make the second amendment to Bank Indonesia Regulation Number 10/36/PBI/2008 concerning Sharia Monetary Operation;



- In view of : 1. Act Number 23 Year 1999 concerning Bank Indonesia (State Gazette of the Republic of Indonesia Year 1999 Number 66, Supplement to the State Gazette of the Republic of Indonesia Number 3843) as amended several times and most recently amended by Act Number 6 Year 2009 concerning the Stipulation of Government Regulation in Lieu of Act Number 2 Year 2008 concerning the Second Amendment to Act Number 23 Year 1999 concerning Bank Indonesia into Act (State Gazette of the Republic of Indonesia Year 2009 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 4962);
2. Act Number 19 Year 2008 concerning Sovereign Sharia Securities (State Gazette of the Republic of Indonesia Year 2008 Number 70, Supplement to the State Gazette Number 4852);
3. Act Number 21 Year 2008 concerning Sharia Banking (State Gazette of the Republic of Indonesia Year 2008 Number 94, Supplement to the State Gazette of the Republic of Indonesia 4867);

HAS DECIDED:



To stipulate : BANK INDONESIA REGULATION CONCERNING THE
SECOND AMENDMENT TO BANK INDONESIA
REGULATION NUMBER 10/36/PBI/2008
CONCERNING SHARIA MONETARY OPERATION.

Article I

The provisions of Article 18 shall be amended, and therefore, Article 18 shall read as follows:

Article 8

- (1) In the event that Sharia Monetary Operation transaction is declared cancelled as referred to in Article 17 paragraph (2), the Sharia Monetary Operation participant shall be subject to sanctions in the following forms:
 - a. a written reprimand; and
 - b. a financial penalty in the amount of 0.01% (one per ten thousandth) of the value of the Sharia Monetary Operation transaction declared cancelled, namely in the minimum amount of Rp10,000,000.00 (ten million Rupiah) and in the maximum amount of Rp100,000,000.00 (one hundred million Rupiah).
- (2) Without prejudice to sanctions as referred to in paragraph (1), in the event of the Sharia Monetary Operation participant has made 3 (three) cancelled Sharia Monetary Operation transactions during 6 (six)-month tenure, the Sharia Monetary Operation participant shall be subject a sanction in the form of suspension



from its participation in Sharia Monetary Operation activities for 5 (five) consecutive business days.

- (3) In the event of a cancellation of transaction in the second leg of repo transaction as referred to in Article 17 paragraph (2) and in the event that the securities price in the second leg transaction is lower than the securities price in the first leg transaction, in addition to the imposition of sanctions as referred to in paragraph (1), the Sharia Monetary Operation participant shall be subject to additional sanctions in the form of financial penalty in the amount of the difference between the price in the first leg transaction and the price in the second leg transaction after being multiplied by the nominal value of the securities subject to repo.
- (4) In the event of a cancellation of transaction in the second leg of reverse repo transaction as referred to in Article 17 paragraph (2) and in the event that the market price for Sovereign Securities (SBSN) in the second leg transaction is higher than the price in the first leg transaction, in addition to the imposition of sanctions as referred to in point 1, the Sharia Monetary Operation participant shall be subject to additional sanctions in the form of financial penalty in the amount of the difference between the price in the second leg transaction and the price in the first leg transaction after being multiplied by the nominal value of the Sovereign Securities (SBSN) subject to reverse repo.

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This Bank Indonesia Regulation shall come into effect on the date of its stipulation.

For public cognizance, it is ordered that this Bank Indonesia Regulation be promulgated in the State Gazette of the Republic of Indonesia.

Stipulated in Jakarta

on December 1, 2011

THE GOVERNOR OF BANK INDONESIA,

[Signed]

DARMIN NASUTION

Promulgated in Jakarta

On December 1, 2011

THE MINISTER OF LAW AND HUMAN RIGHTS OF
THE REPUBLIC OF INDONESIA,

[Signed]

AMIR SYAMSUDDIN